

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

**JUDGMENT IN A CIVIL CASE**

**John A. Porter, III**

Plaintiff(s)

vs.

**CASE NUMBER: 5:22-cv-1067 (TJM/TWD)**

**Shaiquida B. Hayes**

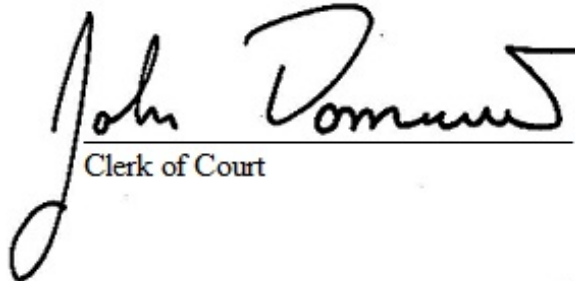
Defendant(s)

**Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED: Order and Report-Recommendation, Dkt. No. 4, is ACCEPTED and ADOPTED. ORDERED that Plaintiffs Complaint (Dkt. No. 1) is DISMISSED WITHOUT LEAVE TO AMEND pursuant to Fed. R. Civ. P. 12(h)(3), 28 U.S.C. § 1915(e)(2)(B)(ii), and Cuoco v. Moritsugu, 222 F.3d 99, 112 (2d Cir. 2000).

All of the above pursuant to the order of the Honorable Thomas J. McAvoy, dated the 19<sup>th</sup> day of January, 2023.

DATED: January 19, 2023

  
Clerk of Court

s/Kathy Rogers

Deputy Clerk